



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Holly Rittenhouse,
Department of Environmental
Protection

Classification Appeal

CSC Docket No. 2017-1592

ISSUED: September 6, 2018 (RE)

Holly Rittenhouse appeals the decision of the Division of Agency Services (Agency Services) which found that her position with the Department of Environmental Protection is correctly classified as Administrative Analyst 4, Information Systems. She seeks a Supervising Management Improvement Specialist classification in these proceedings.

By way of background, the appellant had been regularly appointed to the title Database Analyst 1 on June 8, 2004. As a result of a freeze exemption request to appoint the appellant to the title Supervising Management Improvement Specialist, the Civil Service Commission requested a review of the duties of the position. An audit was performed including a thorough review of the documents submitted, an interview with the appellant, and a conversation with her supervisor. The position is located in the Department of Environmental Protection, Office of the Chief of Staff, Division of General Services, Office of Administrative Application. It is supervised by a Manager 1, Environmental Protection, and at the time of the audit supervised six employees: one Standards and Procedures Technician 3, one Analyst Trainee, one Agency Services Representative 1, two Software Development Specialists 1, and one Database Analyst 1. Agency Services found that the appellant's position would be properly classified as Administrative Analyst 4, Information Systems, and assigned an effective date of November 3, 2017.

Specifically, Agency Services found that the preponderance of the duties performed were appropriate to Administrative Analyst 4, Information Systems. Additionally, Agency Services noted that this title is assigned to the primary-level

supervisor, or “R” Employee Relations Group (ERG). Agency Services indicated that as Database Analyst 1 and Administrative Analyst 4, Information Systems have the same class code, supervisory duties over the Database Analyst 1 should be removed to correct the reporting relationship.

On appeal, the appellant argues that she performs the duties of a prior Supervising Management Improvement Specialist, who was classified in the title after requesting a classification review by this agency in 2003. Upon the prior position incumbent’s promotion to Director of General Services and Systems Coordination in 2012, the appellant states that she absorbed many of the responsibilities of that individual’s former position. She argues that there are distinctions in the breadth of overall authority and responsibility which favor the requested title. Specifically, as to supervision, she notes that her position should be in the secondary-level supervisor, or “S” ERG. She indicates that she supervises a Standards and Procedures Technician 3, a title which is in the “R” ERG, and that individual supervises one Administrative Analyst 1 and one Agency Services Representative 1. As to duties, the appellant argues that she oversees a work unit, and is not merely serving in a supervisory role within the unit. She maintains that her position uses technology to achieve process improvements, performs problem solving regarding management and administrative planning and controls, and works with internal and external program managers to determine best practice solutions.

The appellant states that Agency Services noted that the requested title is in the “V” ERG, which represents confidential employees and is typically connected with labor relations and personnel administration, and regularly assists or reports to management responsible for formulating effective policy and handling confidential matters. As she reports to the Director of General Services and Systems Coordination which is a direct report to the Chief of Staff, who is responsible for identifying operational efficiencies for executive offices and programs across all State agencies, the appellant maintains the duties of her position are connected to labor relations and human resources. She argues that the definition of the requested title more closely matches her reporting relationship, as she works for the Chief of Staff, and her position is confidential, and exempt from union representation. The appellant maintains that a Supervising Management Improvement Specialist can supervise incumbents in a wide variety of titles, and supervision is not restricted to lower level incumbents in the Management Improvement Specialists title series. She argues that improvement projects almost always involve technology, and she recommends improved business processes and Information Technology (IT) systems development. She states that IT projects that she manages are in use Statewide, and she provides examples such as CATS, eCATS, mainframe systems, Data Warehousing, LMS, a notification system, an IT application for emergency response information, and an asset inventory.

The appointing authority provided input on this appeal and states that removal of the Database Analyst 1 from the appellant's reporting relationship would adversely affect the organizational structure of the unit. It also confirms that the appellant supervises a Standards and Procedures Technician 3, which is a title in the "R" ERG. The appointing authority also notes that the appellant has had a key role in the implementation of Statewide initiatives, such as the eCATS project, and continues to work on other initiatives.

CONCLUSION

N.J.A.C. 4A:3-3.9(e) states that appeals from the decision of the Commission representative to the Civil Service Commission may be made by an employee, authorized employee representative, or local appointing authority. The appeal shall be submitted in writing within 20 days of receipt of the decision letter and include copies of all materials submitted, the determination received from the lower level, statements as to which portions of the determination are being disputed, and the basis for appeal. Information and/or argument which was not presented at the prior level of appeal shall not be considered.

The definition section of the job specification for the title Administrative Analyst 4, Information Systems states:

Under supervision of a manager or supervisory officer in a State department or agency, performs and supervises the analysis and evaluation of internal operations, business practices, methods, and techniques of an agency to determine optimal solutions and/or approaches to satisfy agency information technology (IT) business needs/initiatives; evaluates users' needs and recommends IT solutions; provides recommendations in support of the agency's business needs and IT goals and objectives; formulates, recommends and/or approves IT policies and procedures; supervises staff and work activities; prepares and signs official performance evaluations for subordinate staff; does other related duties as required.

The definition section of the job specification for the title Supervising Management Improvement Specialist states:

Under direction of the Director of Administration or other executive officer in a State department, has charge of the work of the unit that is charged with performing problem-solving services for State agencies in areas that are described as organizational designs, operating procedures, information systems, and management and administrative planning and controls; does related work as required.

The appellant premises her appeal on the fact that the prior position incumbent, who is now the Director of General Services and Systems Coordination (the Manager 1, Environmental Protection to whom she now reports), after a classification review of the position in 2003 by this agency, determined that the position would be properly classified as Supervising Management Improvement Specialist. However, it is axiomatic that the duties of a position evolve over time. In this regard, the job duties of a position may evolve over time to the extent that they exceed the level of tasks normally assigned to a title that currently classifies the position. It is also conceivable that due to organizational changes and other factors, the duties of the position could be at a lower level than normally assigned. In this case, given the level of the requested title, a classification review of the position was required to ensure that the duties of the position are not at a lower, or higher level, so the appropriate title could be assigned. As such, the fact that the position was classified in 2003 as Supervising Management Improvement Specialist does not necessarily mean that the position would be classified by the same title in 2017. Indeed, a classification appeal cannot be based solely on a comparison to the duties of another position, *especially if that position is misclassified*.

In this case, duties of the appellant's position include managing the work operations or functional programs of a software development team, including assigning work; project management oversight of IT projects; consulting with others to define business processes and determining functional requirements in the design or enhancement of current technologies; evaluating end user feedback on systems and processes and directing adjustments and modifications; managing financial oversight of projects; acting as the agency representative for various IT projects; evaluating new or enhance technologies and determining their applicability for improved administrative practices and information sharing; providing technical advice; and supervising staff in the development of IT applications and enhancements, in conducting cost savings benefit announcements pertaining to IT projects, and in evaluating new and enhanced technologies and practices. Unique to the appellant's position, this particular management information and control system gathers and uses information to evaluate the performance of different organizational resources such as human, physical, financial and the organization as a whole for considering overall organizational strategies. The function of a Management Improvement Specialist is to develop recommendations for improving the management, organization and efficiency of State operations. Regarding supervision, the Supervising Management Improvement Specialist title is in the Employee Relations Group (ERG) "V", Confidential Supervisory.¹ Thus, with a reclassification to Supervising Management Improvement Specialist, bargaining unit issues are not a factor in the classification of the position. Accordingly, the record establishes that the proper classification of the appellant's title is Supervising Management Improvement Specialist. However, the determination in

¹ Titles in the "V" ERG have responsibilities or knowledge in connection with labor relations which make it inappropriate to be included in a bargaining unit.

this matter is limited to the specific facts of this case and shall not be used as precedent in any other matter.

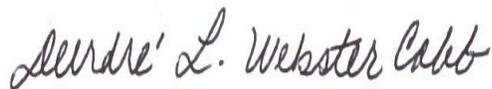
Pursuant to *N.J.A.C.* 4A:3-3.5(c)1, the effective date of a reclassification action in State service should be 30 days of receipt of the reclassification determination. Effectively, the date is determined by the first pay period after 30 days from the date of Agency Services' decision. The decision was dated October 5, 2017, which provides for an effective date of November 11, 2017.

ORDER

Therefore, the appeal is granted, and the position of Holly Rittenhouse is properly classified as Supervising Management Improvement Specialist, effective November 11, 2017.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 5th DAY OF SEPTEMBER, 2018



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

c: Holly Rittenhouse
Deni Gaskill
Kelly Glenn
Records Center